
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HOLMES

I, Malcolm Stewart, being duly sworn, state under oath as follows:

1. I have personal knowledge of the facts set forth in this affidavit. I am fully capable of giving this affidavit.
2. My name is Malcolm Stewart.
3. I am a Black adult resident residing at 2554 Love Road, Lexington, Mississippi 39095.
4. I am also a mechanic.
5. I have served the community of Lexington, Mississippi through community work and my business ventures.
6. On April 7, 2022, I, along with other residents of Lexington, Mississippi attended a "Know Your Rights" community meeting held by community activists and organizers.
7. I was one of many individuals who decided to speak out about the police brutality and misconduct because I have been a victim of these crimes.
8. Two days after the community meeting, April 9, 2022, I was arrested by local police.
9. I was told by the police that I arrested because I had outstanding fines.
10. The officers told me they had a warrant but never produced it.
11. In the year 2020, I made an agreement with the City Judge and former Chief of Police, stipulating that I would work off all my then-existing outstanding fines by servicing Lexington Police Department's vehicles.
12. For approximately a year and a half, I worked off the fines.
13. One Friday in July 2021, I was notified by the clerk that my fines were paid in full through my service and that was my last day.
14. However, after voicing my concerns at the community meeting, Lexington Police Department claimed the fines were still due and arrested me.

15. Various activists traveled to Holmes-Humphreys Regional Correctional Facility to pay the fines, so that I could be released from custody, but even with cash in hand, Lexington Police Department refused to release me that night until the next day.

16. On or around March 2021, Lexington's now-Interim Chief, Charles Henderson, threatened to kill me as I sat in my car on private property simply because I had refused to leave the premises.

17. Officer Henderson told me that he was working that night and did not want "nobody" out.

18. I opposed Officer Henderson's order because the property's owners had not issued the request nor voiced any concern.

19. Officer Henderson threatened to arrest me for "disobeying a direct order" and he told me, "If you don't get the f*ck off this lot, your family gone be wearing a Black suit or a Black dress by Sunday."

20. On Thursday, June 30, 2022, police officers approached my vehicle as I was sitting in the car outside of my sister's home in Lexington.

21. Officers reached inside my car, yanked my shirt collar, and pulled me through the window.

22. The officers arrested and charged me with driving under the influence, but eyewitnesses confirmed that I was not intoxicated, and I repeatedly requested the officers administer a breathalyzer test. Lexington Police Department refused.

23. While inside the police station, I was assaulted by the officers.

24. Additionally, I attend most high school events in Lexington and can attest that Lexington's use of roadblocks increased dramatically after Defendant Sam Dobbins became police chief in July 2021.

25. Rather than occurring at night, LPD began conducting roadblocks throughout the day. The location of the roadblocks also targeted Black Lexington residents. LPD always set up roadblocks whenever the predominantly Black high school held events but never when the White high school held events. I have even witnessed LPD escorting patrons of the White school's events back into town as a courtesy.

26. This affidavit is executed by affiant herein in accordance with the Mississippi Rules of Civil Procedure.

FURTHER AFFIANT SAYETH NOT.

Malcolm Stewart
Malcolm Stewart

Sworn to and subscribed before me this the 15th day of August 2022.



Allison Christian
Notary Public